

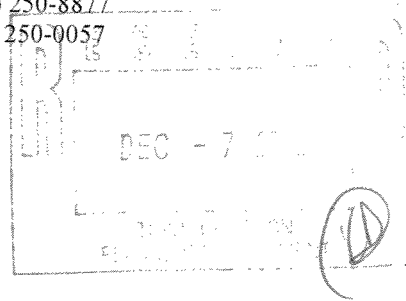
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December 7, 2009

Acton Planning Board  
Ryan Bettez, Chairman  
Acton Town Hall  
472 Main Street  
Acton, MA 01720

RE: Special Permit Application  
5-7 Craig Road, Acton, MA

Dear Chairman Bettez and Members of the Board:

As you are aware, this office represents SBA Towers II, LLC regarding a proposed wireless telecommunication facility to be located at 5-7 Craig Road in Acton, Massachusetts. Attached to this letter the Applicant has included a copy of the official "Determination of no Hazard to Air Navigation" from the Federal Aviation Administration. Please allow this document to supplement the Applicant's original application that included a preliminary determination of "No Hazard" from TOWAIR. If you have any questions or comments, please do not hesitate to contact this office at the number listed above. Thank you in advance for your time and consideration.

Sincerely,  
Deschenes & Farrell, PC

Kevin S. Eriksen

Enclosures.  
Cc: Client



Federal Aviation Administration  
Air Traffic Airspace Branch, ASW-520  
2601 Meacham Blvd.  
Fort Worth, TX 76137-0520

Aeronautical Study No.  
2009-ANE-1078-OE

Issued Date: 11/30/2009

Clinton Papenfuss  
SBA Towers  
5900 Broken Sound Parkway NW  
Boca Raton, FL 33487

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower MA 11845-A
Location:	Action, MA
Latitude:	42-28-03.20N NAD 83
Longitude:	71-25-07.40W
Heights:	199 feet above ground level (AGL) 341 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

☐ At least 10 days prior to start of construction (7460-2, Part I)  
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

**See attachment for additional condition(s) or information.**

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

Any height exceeding 199 feet above ground level (341 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 05/30/2011 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (816) 329-2525. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-ANE-1078-OE.

**Signature Control No: 658886-120494430**

( DNE )

Donna O'Neill  
Specialist

Attachment(s)  
Additional Information  
Frequency Data  
Map(s)

cc: FCC

**Additional information for ASN 2009-ANE-1078-OE**

Note: Structure becomes the controlling obstacle for the NDB-A approach at the Minute Man Airfield (6B6), Stow, MA.

# Frequency Data for ASN 2009-ANE-1078-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

TOPO Map for ASN 2009-ANE-1078-OE

